

PATENT
18678-9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rogers, et al.

Serial No.: 09/916,819 ~~819~~ 883,653

Filed: June 11, 2002

For: METHODS FOR RETROFITTING AN
ADJUSTABLE CHAIRGroup Art Unit: 3726
3636

Examiner: J. Edell (Hong)

CERTIFICATE OF SERVICE VIA FACSIMILE TO
THE COMMISSIONER FOR PATENTS AND TRADEMARKSCommissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile Number: (703) 305-3580

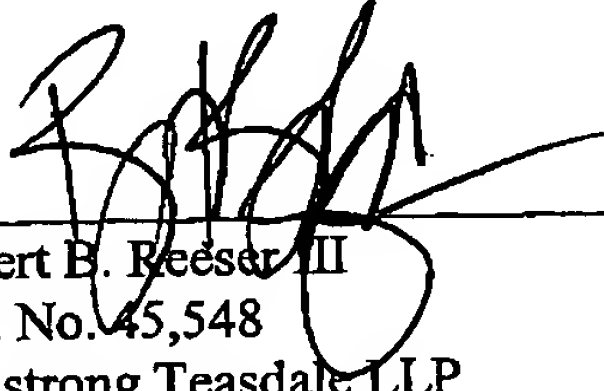
Date of Service: May 28, 2003

I hereby certify that the documents listed below:

- Letter
- Copy of Amendment (response to Restriction Requirement)
- Copy of Amendment Transmittal
- Copy of Express Mail Certificate, Label No. EV160264197US.
- Copy of Returned Postcard stamped by PTO on October 15, 2002

are being transmitted via facsimile service to the Commissioner for Patents, Attention
Examiner Hong at (703) 305-3580 on the date indicated above.

Respectfully submitted,


Robert B. Reeser III
Reg. No. 45,548
Armstrong Teasdale LLP
One Metropolitan Square, Suite 2600
St. Louis, MO 63012
(314) 621-5070

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AMENDMENT

Commissioner for Patents
Box NON-FEE AMENDMENT
Washington, D.C. 20231

Sir:

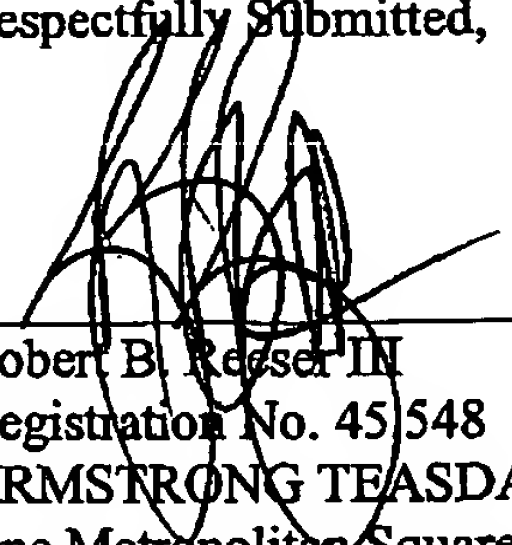
This Amendment is submitted in response to the Office Action dated October 1, 2002. In response to the election of a species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable, Applicant elects Species I as defined in the Office Action. Claims 1-14 belong to the elected species. Applicants also submit that Claims 15-20 are also readable thereon. More specifically, independent Claim 1 recites

The requirement for election is traversed because the inventions set out by the claims clearly are related, a thorough search and examination of any claim group (it is believed) would be relevant to the examination of the other group, and requirements for election are not mandatory under 35 USC. More specifically, independent Claim 1 recites "uncoupling the gas cylinder from the chair...wherein the height adjustment mechanism includes a limit switch that is configured to limit an amount of movement of the height adjustment mechanism...." In the Office Action, independent Claim 15 is defined as being a separate species of the claimed invention. However, independent Claim 15 recites the step of "electrically coupling a limit switch to the chair to limit an amount of movement of the height adjustment mechanism," and as such, Applicants respectfully submit that Claims 15-20 are readable on Species I.

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Accordingly, reconsideration of the election requirement is requested.

Respectfully Submitted,



Robert B. Reiser III
Registration No. 45548
ARMSTRONG TEASDALE LLP
One Metropolitan Square, Suite 2600
St. Louis, Missouri 63102-2740
(314) 621-5070